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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,067	01/05/2001	Akira Matsubara	SON-2002	2134
23353	7590	05/18/2005	EXAMINER	
RADER FISHMAN & GRAUER PLLC			CHOW, MING	
LION BUILDING			ART UNIT	
1233 20TH STREET N.W., SUITE 501			PAPER NUMBER	
WASHINGTON, DC 20036			2645	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/754,067

Applicant(s)

MATSUBARA ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 05 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Claim Objections

1. Claim 7 recites "the voice" (line 3). There is insufficient antecedent basis for this limitation in the claim.
2. Claim 9 recites "the position". There is insufficient antecedent basis for this limitation in the claim.
3. Claim 10 recites "said keyword extraction means". There is insufficient antecedent basis for this limitation in the claim.
4. Claim 12 recites "the result". There is insufficient antecedent basis for this limitation in the claim.
5. Claim 16 recites "the position" and "the detection result". There is insufficient antecedent basis for this limitation in the claim.
6. Claim 17 recites "the notified communication". There is insufficient antecedent basis for this limitation in the claim.
7. Claim 19 recites "the communication". There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2645

8. Claim 20 recites "said information". There is insufficient antecedent basis for this limitation in the claim.

9. Claim 21 recites "the communication contents" and "the keyword". There is insufficient antecedent basis for this limitation in the claim.

10. Claim 22 recites "the communication contents". There is insufficient antecedent basis for this limitation in the claim.

11. Claim 23 recites "the position" and "said designated communication terminal device". There is insufficient antecedent basis for this limitation in the claim.

12. Claim 24 recites "the position" and "the position information". There is insufficient antecedent basis for this limitation in the claim.

13. Claim 25 recites "the communication" and "a said designated communication terminal device". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claims 3, 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase “said communication terminal device” (singular; line 7) is not clearly defined. Claim 3 claimed “communication terminal devices” (plural; line 2). It is unclear which specific terminal device is referred to among the earlier claimed a plural of terminal devices.

15. Claims 20, 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “and/or” is not clearly defined. It is unclear the claimed is “and” or “or”.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any

Art Unit: 2645

person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

16. Claim 21 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The phrase “said information supplying means comprises position detection means” is not disclosed by the specification. The specification disclosed, on line 4-10 page 43, a GPS is built in telephone terminals for position detection. The specification did not support “information supplying means comprises position detection means”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Art Unit: 2645

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

17. Claims 3, 4, 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook (US: 6853987).

For claims 3, 11, Cook teaches on Fig. 3 and column 10 line 19, site 80 (claimed “information distribution means”) distributes information to customer’s computer.

Cook teaches on item 18 Fig. 1, authorization system (claimed “privilege assignment means”).

Regarding claim 4, Cook teaches on column 4 line 41, wireless telephones.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2645

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 1, 2, 12, 17, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US: 6853987), in view of Inohara et al (US: 6256747).

Regarding claim 1, Cook teaches on Fig. 1, line connections between terminal devices.

Cook teaches on column 10 line 10-19, Fig. 1 and Fig. 3, the site 80 (claimed “information supply means”) supplies information to the customer computer via the network.

Cook teaches on item 18 Fig. 1, authorization system (claimed “privilege assignment means”).

Cook failed to teach “communication management means” and “information distribution means”. However, Inohara et al teach on Fig. 1, a network server with a client request management section and a server management section (items 100 and 102 Fig. 1; claimed “communication management means”). Inohara et al teach on column 6 line 11 to column 7 line 64, the server distributes (claimed “information distribution means”) information to the client.

It would have been obvious to one skilled at the time the invention was made to modify Cook to have the “communication management means” and “information distribution means” as taught by Inohara et al such that the modified system of Cook would be able to support the system users conveniences of managing communications and distributing information via a network server.

Art Unit: 2645

Regarding claims 2, 25, 12, Cook teaches on column 10 line 51 to column 12 line 40, after the customer entering the account number and selecting the Access or Activate Account option (reads on claimed “confirmed to have been browsed or viewed” the supplied information on Fig. 3) the authorization is verified (claimed “assigns a privilege”).

Regarding claim 17, rejections as stated in claims 1 and 2 above apply.

19. Claims 5, 13 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Tatsumi et al (US: 5757788).

Regarding claims, 5, 19, Cook failed to teach “temporarily suspending the communication while communication terminal device is communicating”. However, Tatsumi et al teach on column 4 line 6-11, personal station pauses conversation to transmit data.

It would have been obvious to one skilled at the time the invention was made to modify Cook to have the “temporarily suspending the communication while communication terminal device is communicating” as taught by Tatsumi et al such that the modified system of Cook would be able to support the system users conveniences of distributing information while communication is suspended.

Regarding claim 13, rejections as stated in claims 4 and 5 above apply.

20. Claims 6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Cruickshank (US: 6704294).

Art Unit: 2645

Regarding claim 6, Cook failed to teach “distributes the information in parallel with voice information”. However, Cruickshank teaches on column 2 line 32-42, data and voice information are transmitted in parallel.

It would have been obvious to one skilled at the time the invention was made to modify Cook to have the “distributes the information in parallel with voice information” as taught by Cruickshank such that the modified system of Cook would be able to support the system users conveniences of transmitting data and voice in parallel.

Regarding claim 14, rejections as stated in claims 4 and 6 above apply.

21. Claims 7, 8, 10, 15, 21, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Calder et al (US: 6594347).

Regarding claim 7, Cook failed to teach “keyword extraction means”. However, Calder et al teach on Fig. 2 and column 6 line 34-62, a mobile phone with speech recognition means and performs keywords extractions.

It would have been obvious to one skilled at the time the invention was made to modify Cook to have the “keyword extraction means” as taught by Calder et al such that the modified system of Cook would be able to support the system users conveniences of better recognizing speech by extracting keywords.

Regarding claims 8, 10, the modified system of Cook in view of Calder et al as stated in claim 7 above failed to teach “selects distribution information based on a keyword extraction

Art Unit: 2645

result”. However, Calder et al teach on column 4 line 33-52, by the result of the voice recognition (keyword extraction), a balance of the account is selected.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Calder et al to have the “selects distribution information based on a keyword extraction result” as taught by Calder et al such that the modified system of Cook in view of Calder et al would be able to support the system users conveniences of selecting information based on a result of keyword extraction.

Regarding claim 15, rejections as stated in claims 4, 7 , and 8 above apply.

Regarding claims 21, 22, rejections as stated in claim 7 and 8 above apply.

22. Claims 9, 16, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Tendler (US: 6519463).

Regarding claim 9, Cook failed to teach “position detection means”. However, Tendler teaches on Fig. 2, a wireless phone with a GPS receiver.

It would have been obvious to one skilled at the time the invention was made to modify Cook to have the “position detection means” as taught by Tendler such that the modified system of Cook would be able to support the system users conveniences of detecting the position.

Regarding claims 16, 23, 24, rejections as stated in claims 9, 10 above apply.

Art Unit: 2645

23. Claims 18, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, and further in view of Miura (US: 6736726).

Cook in view of Inohara et al as stated in claim 17 above failed to teach “recording and updating a distribution history”. However, Miura teaches on column 2 line 42-67, an information distribution system with history data and a control means to update the history data.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al to have the “recording and updating a distribution history” as taught by Miura such that the modified system of Cook in view of Inohara et al would be able to support the system users conveniences of recording and updating history data.

24. Claims 20, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook, in view of Inohara et al, and further in view of Funasako (JP409233193).

Cook in view of Inohara et al as stated in claim 17 above failed to teach “outputting a confirmation based on a voice input”. However, Funasako teaches a telephone set with voice confirmation function.

It would have been obvious to one skilled at the time the invention was made to modify Cook in view of Inohara et al to have the “outputting a confirmation based on a voice input” as taught by Funasako such that the modified system of Cook in view of Inohara et al would be able to support the system users conveniences of providing voice confirmation.

Art Unit: 2645

Conclusion

25. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- Honda et al (US: 6851091) teach image display apparatus and method.

26. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 703-872-9306.

Patent Examiner

Art Unit 2645

Ming Chow

(w)


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